

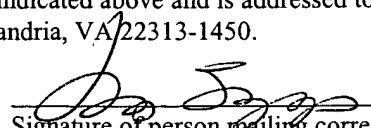


PATENT  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|--|---------------|---------------|
| Applicant:  | Robert Chalifour et al.  | Art Unit:     | 1653          |
| Serial No.: | 10/009,122   | Examiner:     | Samuel W. Liu |
| Filed:      | June 18, 2002  | Customer No.: | 21559         |
| Title:      | Stereoselective Antifibrillogenic Peptides and Peptidomimetics Thereof |               |               |

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REPLY TO RESTRICTION REQUIREMENT

In reply to the Restriction Requirement that was mailed in connection with the above-captioned application on August 11, 2004, applicants elect the invention of Group I, claims 1-8, 20-22, 29, and 32, with traverse.

The claims have been divided into four groups, on the basis of the Examiner's assertion that the subject matter of claim 1 would have been obvious over WO 97/21728. The Examiner thus states that the claims of the four groups lack the same or corresponding special technical features. Applicants respectfully disagree.

Claim 1 requires that at least one of the amino acids in a peptide specified in the claim is a D amino acid. The passages from WO 97/21728 cited by the Examiner, Example 1, pages 9-

12, and page 16, do not mention peptides that include D amino acids. Rather, Example 1 describes an analysis of ten-mers that correspond to consecutive sequences of A $\beta$ -1-40, and nowhere mentions that any of these (or any other) peptides should include a D amino acid. The passage on page 16 of WO 97/21728 concludes that the sequence KLVFF is important in A $\beta$  polymerization, but nowhere mentions the possibility that any peptides, not to mention those of the present claims, should include one or more D amino acids. The Examiner has not provided a basis for concluding that these passages, which do not even mention the possibility of peptides including D amino acids, would render obvious claims that require the presence of a D amino acid in a peptide of the claims.

In conclusion, applicants respectfully submit that, when claims to peptides in the present application (e.g., claim 1) are acknowledged by the Examiner to be novel and inventive, then claims to the corresponding chimeric molecules (Group II, claims 9-17), methods of treatment (Group III, claims 18 and 19), and methods of cell preparation (Group IV, claims 34-36) should be rejoined in the application.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: February 10, 2005

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